

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC # _____
DATE FILED: 1/21/2022

COHEN, FRANKEL & RUGGIERO, LLP
ATTORNEYS AT LAW
20 VESEY STREET, SUITE 1200
NEW YORK, NEW YORK 10007
(212) 732-0002 • FAX (212) 293-7224

MARK I. COHEN
PETER M. FRANKEL
LOUIS J. RUGGIERO
MINA KENNEDY
GILLIAN M. FEEHAN*

*ADMITTED IN NJ AND PENDING ADMISSION IN NY

MEMO ENDORSED

35-07 90TH STREET
JACKSON HEIGHTS, NEW YORK 11372
(718) 898-4900 • FAX (718) 898-0093
PLEASE DO NOT REPLY TO THIS OFFICE

January 21, 2022

VIA ECF

The Honorable Edgardo Ramos
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Sentencing is adjourned to April 13, 2022 at 3:30 pm.
The sentencing submission deadlines are extended
accordingly.

SO ORDERED.


Edgardo Ramos, U.S.D.J.

Dated: 1/21/2022
New York, New York

Re: *United States v. Elvin German*
21 Cr. 245 (ER)

Dear Judge Ramos:

Please recall that I represent Mr. Elvin German in the above-referenced matter. Mr. German is presently scheduled for sentencing before Your Honor on February 10, 2022 at 3:30 p.m., and per Your Honor's Individual Rules, the defense's sentencing submission is due Thursday, January 27, 2022. For the reasons that follow, I write to respectfully request that Your Honor grant a 30-day adjournment of the sentencing hearing and adjust the parties' respective sentencing submission deadlines accordingly. This is the defense's first sentencing hearing adjournment request in this matter. I have discussed this request with A.U.S.A. Danielle Kudla, and the Government has no objection.

On January 10, 2022, the defense submitted a letter to United States Probation Officer Stephanie Zhang detailing Mr. German's extensive objections to the United States Probation Presentence Report ("PSR"). These objections were successfully resolved and incorporated into the final PSR, which we received Wednesday, January 19, 2022, and sent to Mr. German. The defense respectfully submits that it requires time to review the final report with Mr. German—especially Probation's sentencing recommendation and justification—prior to finalizing and submitting its sentencing letter. Further, Mr. German is working to obtain records and letters of support that will be included in the defense's sentencing submission, but he requires additional time to do so. The defense respectfully submits that the requested adjournment would permit Mr. German the necessary time to obtain these important sentencing materials.

The Honorable Edgardo Ramos

January 21, 2021

Page 2 of 2

Therefore, I respectfully request a 30-day adjournment of Mr. German's sentencing hearing until late-February 2022 or mid-March 2022, as A.U.S.A. Kudla has advised that she is unavailable February 25 through March 7, 2022, and I am unavailable February 23 through February 24, 2022 and March 11 through March 18, 2022. Further, I respectfully request that the due dates for the parties' respective sentencing submissions be adjusted to correspond with Mr. German's new anticipated sentencing date and in accordance with Your Honor's Rules. Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark I. Cohen", with a horizontal line extending to the right.

Mark I. Cohen

MIC/gmf

Cc: A.U.S.A. Danielle Kudla (via ECF)

Mr. Elvin German (via email)